

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
JOHN P. BERMAN
CLERK

JAN 14 PM 1:53

JEFFREY SMITH, ET AL.,

PLAINTIFF,

CASE NO. 1:10-CV-00718

Chief Judge Susan J. Diott

Mag. Judge Stephanie K. Bowman

to also be copied to the docket of
1:12-CV-00648, Judges Spiegel,
Litkovitz, as consolidated case.

PLAINTIFFS' CALL TO
ACTION:

VS.

INDIAN HILL EXEMPTED
VILLAGE SCHOOL DISTRICT, ET AL.
(of standing today by appeal decree
federal docket entries consolidated)

*Denise
Susan J. Diott
1/18/13*

In Call to Action, the Plaintiffs now move the Court to reserve all "Rule 68" rights including recovery of "other related costs" only to the prevailing Plaintiffs in standing aggrieved by due process withheld without opportunity for defense in trial. Judgment lacking jurisdiction as on December 31, 2012 is moot by prior November 1, 2012 decree of the 6th Circuit Federal Court of Appeals. Due Process withheld and failure to Prosecute is a violation of the Plaintiffs and in Ohio a criminal act because JMS is a victim. Now that trial cannot occur as statutory intent joined by the federal appeal decree is denied and a federal decree violated in malice with this notice, two federal judges and two magistrates can be found guilty without safe harbor and without immunity by exception. Plaintiffs do not need here to re-argue what was clearly joined on November 1, 2012 by the 6th Circuit Federal Court of Appeals. Their fellow judges in the appeals since August 2008 also stand as perpetrators unprotected in their silence and their violations rose to liability and